

114 VOTES & PROCEEDINGS OF THE HOUSE OF DELEGATES.

3. "AND BE IT ENACTED, That the returns of every election for governor shall be sealed up and transmitted in like manner with the election returns of delegates to the seat of government, and be by the chancellor delivered to the president of the senate, who shall open and publish them in the presence of the general assembly. The person having the greatest number of votes shall be governor; but if two or more shall be equal and highest in votes, one of them shall be chosen governor by the joint vote of the members of both houses of the general assembly of Maryland.

4. AND BE IT ENACTED, That all contested elections shall be referred to a joint committee from both houses of the legislature, to be appointed by ballot, six of whom shall be from the senate, and nine from the house of delegates, who shall inquire into the same and report thereon agreeably to the rules by which they are now governed, in judging the legality of elections of members of their own bodies; which report when made shall be a final determination thereof.

5. AND BE IT ENACTED, That in case of the death or resignation of the governor, or of his removal from office, the president of the senate shall exercise the office of governor, until another governor shall be duly qualified; & if the trial of a contested election for governor continue longer than the second Monday in December next ensuing the election of governor, the governor of the last year, or the president of the senate, who may be in the executive authority, shall continue therein until the determination of such contested election, and until a governor shall be qualified as aforesaid.

6. AND BE IT ENACTED, That the governor, when so appointed, shall have full power and authority to do all acts and things which he is now by the constitution empowered to do, whether by the advice and consent of the counsel or otherwise.

7. AND BE IT ENACTED, That a secretary shall be appointed and commissioned during the governor's continuance in office, if he shall so long behave himself well, whose duty it shall be to keep a fair register of all the official acts and proceedings of the governor, and shall, when required, lay the same and all papers, minutes, and vouchers relative thereto, before either branch of the legislature, and shall perform such other duties as shall be enjoined him by law.

8. AND BE IT ENACTED, That if this act shall be confirmed by the general assembly after the next election of delegates, in the first session after such new election, as the constitution and form of government directs; that in such case this act and the alterations and amendments therein contained, shall be taken and considered, and shall constitute and be valid, as a part of the said constitution and form of government, to all intents and purposes, any thing in the said constitution and form of government to the contrary notwithstanding.

[The amendments proposed to this bill will be found in the 72d page of the Votes and Proceedings of the House of Delegates. I deem it unnecessary to insert them here, as they appear in full in their proper place on the journals. The amendments were proposed as a substitute for the above bill.

The bill entitled, "An act to abolish all such parts of the constitution and form of government as relate to the appointment of an Executive Council," was also ordered to be published with the votes and proceedings for the consideration of the people, but the printer to the state not having been furnished with the bill when this part of the work was put to press, and the absence of the clerk of the house of delegates from the seat of government at the time, renders it impossible that it can be inserted in this place. If timely received it shall be published, (and of course will be found) at the conclusion of the Votes and Proceedings of the Senate.

THE PRINTER.